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EXAMINER

BURGESS, BARBARA N

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/632,897	Applicant(s) CHANG ET AL.	
	Examiner BARBARA N. BURGESS	Art Unit 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16, 21-26 and 28-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16, 21-26 and 28-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Amendment filed September 3, 2008. Claims 1-14, 16, 21-34 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 7-21, 26- 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugiarto et al. (hereinafter “Sug”, US Patent 6,278,449 B1).

As per claim 1, Sug discloses a method for customizing a structured markup language document and delivering said customized structured markup language document to an in Internet appliance, comprising:

- Parsing information units in an original structured markup language document (column 4, lines 15-35, column 8, lines 1-19);
- Selecting one or more of said information units for delivery (column 4, lines 36-50);

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- Creating in a database a second structured markup language document including said one or more of said information units, said structured markup language document customized according to capabilities of and for delivery to said Internet appliance (column 3, lines 18-21, 41-46, column 4, lines 8-10, 15-20, 32-35, column 7 lines 25-31);
- Delivering to said internet appliance a menu for selection of at least said second structured markup language document, said menu including as a selection item at least a bookmark representing said second structured markup language document (column 5, lines 41-51, column 6, lines 41-55, column 8, lines 35-45, 55-67);
- Delivering said second structured markup language document to said internet appliance (column 4, lines 36-51, column 9, lines 1-6).

As per claim 3, Sug discloses a method as in Claim 1, further comprising creating a menu including said information units, said menu being adapted for selection by a user and being presented to said user on a graphical display (column 5, lines 40-55).

As per claim 7, Sug discloses a method as in Claim 1, further comprising, prior to said parsing, specifying said structured markup language document from by a uniform resource locator (URL) (column 5, lines 59-62).

As per claims 8, Sug discloses a method as in Claim 1, further comprising, prior to said parsing, selecting said structured markup language document from a list of bookmarks (column 5, lines 4-51).

As per claim 9, Sug discloses a method as in Claim 1, wherein said Internet appliance includes means for determining the Internet appliance's geographical location (column, 2, lines 8-11).

As per claim 10, Sug discloses a method as in Claim 9, further comprising including in said second document pre-configured resources (column 6, lines 41-55).

As per claim 11, Sug discloses a method as in Claim 10, wherein said pre-configured resources comprises location-specific information (column 6, lines 1-10).

As per claim 12, Sug discloses a method as in Claim 10, wherein said pre-configured resources are updated at specified time intervals (column 6, lines 25-30).

As per claim 13, Sug discloses a method as in Claim 1, wherein said second document is adapted for display on said internet appliance in accordance with a profile of said internet appliance (column 6, lines 50-60).

As per claim 14, Sug discloses a method as in Claim 13, further comprising, prior to said selecting, creating said profile of said Internet appliance (column 2, lines 36-42).

As per claim 16, Sug discloses a method of Claim 1, further comprising, prior to said delivery, presenting on said internet appliance a menu for selection, said menu including as a selection item a bookmark representing said second structured markup language document (column 6, lines 5-10).

As per claim 21, Sug discloses a document customization system, comprising:

- A management server offering a document customization service to a user (column 3, lines 58-67, column 4, lines 1-2);
- A document manager associated with said management server for performing said document customization service to web pages identified by said user, said document customization service customizing said web pages according to capabilities of and for delivery to said Internet appliance (column 2, lines 27-42);
- Said document customization service parsing information units in structured markup language documents for said web pages and enabling the user to select one or more of said information units for delivery to the user (column 4, lines 36-50, column 6, lines 15-30);
- A database accessible by said document manager, said database storing customized web pages resulting from said document manager performing said

document customization service (column 3, lines 18-21, 41-46, column 4, lines 8-10, 15-20, 32-35, column 7 lines 25-31);

- A portal for accessing said customized web pages in said database via bookmarks representing at least said customized web pages (column 5, lines 41-51, column 6, lines 41-55, column 8, lines 35-45, 55-67).

As per claim 22, Sug discloses a document customization system as in Claim 21, wherein said portal is customized for access by an Internet appliance, wherein at least one of said bookmarks is associated with said internet appliance (column 6, lines 50-60).

As per claim 26, Sug discloses a document customization system as in Claim 21, wherein said management server provides a web page based interface to said document manager (column 5, lines 26-35).

As per claim 28, Sug discloses a method database as in Claims 17 and 21, further comprising a site record associated with said user client record, said site record representing a specified resource (column 5, lines 40-50).

As per claim 29, Sug discloses a document customization system in Claim 21, wherein said database comprises:

- A user record identifying a user (column 5, lines 26-35);

- A device record identifying an internet appliance (column 2, lines 36-42);
- A client record identifying a browser running on said internet appliance (column 5, lines 49-55);
- A user client record associating said user record with said client record (column 5, lines 40-65);
- A device profile record associating said user client record with said device record (column 5, lines 40-65).

As per claim 30, Diwan discloses a document customization system as in Claim 29, wherein said database further comprises a channel record associated with said user_client record, said channel representing a pre-configured resource (column 6, lines 1-10)

As per claim 31, Diwan discloses a document customization system as in Claim 29, wherein said database further comprising a site record associated with said user client record, said site record representing a specified resource (column 5, lines 25-36).

As per claim 32, Diwan discloses a document customization system as in Claim 31, said database further comprises a customization record associated with said site record, said customization record representing modification of said resource in accordance with said device profile record (column 7, lines 25-31).

As per claim 33, Diwan disclose a method of claim 1, wherein the capabilities of said internet appliance comprise bandwidth capability of said internet appliance (column 6, lines 48-60).

As per claim 34, Diwan disclose a method of claim 1, wherein the capabilities of said internet appliance comprise display capability of said internet appliance (column 6, lines 55-65).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiarto et al. (hereinafter "Sug", US Patent 6,278,449 B1) in view of Katariya et al. (hereinafter "Kat", US Patent Publication 2002/0091789 A1).

As per claim 2, Sug does not explicitly disclose a method as in Claim 1, wherein said second structured markup language document comprises an XML document. However, the use and advantages for using such document is well known to one skilled in the relevant art at the time the invention was made as evidenced by Kat (paragraph [0028]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate the use of an XML document in Diwan's method in for industries to create their own customized markup languages for exchanging information.

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4. Claims 4-6, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiarto et al. (hereinafter "Sug", US Patent 6,278,449 B1) in view of Feinleib (US Patent 6,272,532 B1).

As per claims 4-6, 23-25, Sug does not explicitly disclose a method as in Claim 1, wherein said Internet appliance comprises a personal digital assistant, a mobile telephone, and a hand-held computer. However, the use and advantages for using a pda, mobile telephone, and hand-held computer is well known to one skilled in the relevant art at the time the invention was made as evidenced by Feinleib (column 1, lines 25-35).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate sending to a personal digital assistant, mobile telephone, and hand-held computer in Diwan's method in order to receive email messages.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

/Barbara N Burgess/
Examiner, Art Unit 2457

Barbara N Burgess
Examiner
Art Unit 2457

November 22, 2008

/LaShonda T Jacobs/
Primary Examiner, Art Unit 2457